

[7 August, 2001]

RAJYA SABHA

**Trade Marks Act, 1999**

1699. SHRI GOPALSINH G. SOLANKI: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

- (a) whether the Trade Marks Act, 1999 provides for a Delhi-based Appellate Board;
- (b) if so, whether an aggrieved person will have to come down to Delhi to file Special Leave Petition; and
- (c) if so, the steps proposed to be taken to do away with such undue expenses and delays?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (DR. RAMAN): (a) to (c) Section 83 of the Trade Marks Act, 1999 provides for establishment of an Intellectual Property appellate Board. Section 84 of the Act provides that a Bench of the Board shall sit at such place as the Central Government may notify. The establishment of the Board is with a view to reduce undue expense and delays for litigants.

**Impact of Removal of QRs on the Industry**

1700. SHRI CHO S. RAMASWAMY: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

- (a) the impact of the removal of the Quantitative Restrictions on import of various commodities on the performance of the domestic industry in the country;
- (b) whether it is a fact that small units are affected due to liberalization of import of consumer goods and components into the country;
- (c) whether Government propose to protect the local units while dealing with the WTO before signing various agreements; and
- (d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI DIGVIJAY SINGH): (a) to (d) Import restrictions are being continuously removed since 1991, as part of economic liberalization programme. However, the removal of restrictions has not altered the overall rate of growth of imports. The growth rate of imports was 15.3% in 1993-94, 23.1% in 1994-95, 36.4% in 1995-96, 13.2% in 1996-97, 11% in 1997-98, 14.2% in 1998-99 and 13.6% in 1999-2000

(in Rs. terms). The import growth rate during the year 2000-2001 was only 5.59% in Rs. terms and 0.27% in US dollar terms. If non oil imports are taken into consideration the picture of imports is all the more reassuring. Such non oil imports, have in fact, registered a negative growth rate of 14.66% during 2000-2001.

Even at micro level the growth in imports has not been of alarming nature. The import data for 714 items, QRs on which were removed on 31.03.2000, for the year 2000-2001, indicates a growth in import of these items by less than 3%. Similarly, the import of 300 sensitive items, which is being monitored by a Standing Group of Secretaries, indicated a decline of 13% during the first three months of this financial year.

As can be seen from above, the fears of domestic market being deluged by imports have not come true.

However, the imports are being constantly monitored and the Government is absolutely determined to ensure through appropriate use of tariff and other available mechanisms that imports do not cause any serious detriment or injury to domestic industry.

The interests of domestic producers are always given prime importance while entering into any international agreement including those entered the aegis of WTO. These agreements provide sufficient safeguards against dumping or surge in imports. The domestic industry has been sufficiently sensitized about the availability of these mechanisms.

#### **Technology transfer in privatisation of defence production**

† 1701. SHRI DEVI PRASAD SINGH: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether opening the defence production sector for foreign investment would affect the national security as well as military and strategic secrecy of the country;

(b) whether ordnance factories in the country are incapable to some extent to produce sophisticated weapon system/communication system;

(c) if so, whether the procedure of technology transfer is not able to meet our optimum target of strategic preparedness; and

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† Original notice of the question was received in Hindi.